

## LEGISLATIVE BILL 737

Approved by the Governor May 24, 2005

Introduced by Business and Labor Committee: Cunningham, 40, Chairperson;  
 Burling, 33; Combs, 32; Kremer, 34; Preister, 5; Schimek, 27

AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize certain write-offs as prescribed; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. There are hereby appropriated the following sums of money, or so much thereof as may be required, from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of claims arising out of miscellaneous items of indebtedness owing by the State of Nebraska.

## 2004-2005 MISCELLANEOUS CLAIMS

DESCRIPTION	DOLLARS
Claim No. 04-343, against the Office of the Attorney General, pay to <u>John Freudenberg</u> , Box 490, Rushville, NE 69360, out of the General Fund.	679.00
Claim No. 04-385, against the University of Nebraska, pay to <u>St. Elizabeth Regional Medical Center</u> , c/o Sharon Birch, P.O. Box 30450, Lincoln, NE 68503, out of the University of Nebraska-Lincoln Revolving Fund.	25,994.71
Claim No. 04-391, against the Office of the Attorney General, pay to <u>John Freudenberg</u> , Box 490, Rushville, NE 69360, out of the General Fund.	2,264.60
Claim No. 04-759, against the Department of Roads, pay to <u>Ponderosa Ranch</u> , c/o Gary Burival, 49250 876th Road, O'Neill, NE 68763, out of the Roads Operations Cash Fund.	17,727.00
Claim No. 05-100, against the Department of Revenue, pay to <u>Arrow Energy Inc.</u> , c/o Nelson Brown Equities, 5201 SW Westgate Drive, Suite 100, Portland, OR 97221, out of the General Fund.	80,628.61
Claim No. 05-130, against the Department of Revenue, pay to <u>US West Communications</u> , c/o Judy Najera, 1801 California Street, #2500, Denver, CO 80202, out of the General Fund.	52,209.08
Claim No. 05-218, against the Department of Correctional Services, pay to <u>James Brebner</u> , c/o CSI, 800 Pioneers Boulevard, Lincoln, NE 68502, out of the Correctional Industries Revolving Fund.	4,010.98
Claim No. 05-248, against the Office of the Secretary of State, pay to <u>Nebraska Press Advertising Service</u> , c/o Allen Beerman, 845 S Street, Lincoln, NE 68508, out of the General Fund.	309,845.58
Claim No. 05-270, against the Office of the Attorney General, pay to <u>Nebraska Appleseed Center</u> , c/o Rebecca Gould, 941 O Street, Suite 105, Lincoln, NE 68508, out of the General Fund.	153,332.58

The claims included in this section shall be paid through Program 536 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

GENERAL FUND	598,959.45
CASH FUNDS	17,727.00
REVOLVING FUNDS	30,005.69
TOTAL	646,692.14

Sec. 2. There are hereby appropriated the following sums of money, or so much thereof as may be required, from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of tort claims which have been settled by the Attorney General in the district court or in which court judgments have been entered and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
-------------	---------

Tort Claim No. 02-458, against the Department of Roads, pay to Joshua Smith and James Schaefer, Attorney, 1001 Farnam Street, Omaha, NE 68102,

out of the Roads Operations Cash Fund. 241,000.00

The claim included in this section shall be paid through Program 591 in Agency 65.

For informational purposes only, the appropriation contained in this section and fund source:

GENERAL FUND	-0-
CASH FUNDS	241,000.00
TOTAL	241,000.00

Sec. 3. There are hereby appropriated the following sums of money, or so much thereof as may be required, from the indicated fund in the state treasury, not otherwise appropriated, for the payment of workers' compensation claims which have been settled by the Attorney General or in which court judgments have been entered and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
-------------	---------

Workers' compensation judgment, pay to <u>Alice Jones and Elaine A. Waggoner, Attorney, 216 North 11th Street, Suite 301, Lincoln, NE 68508, out of the</u>	
Workers' Compensation Claims Revolving Fund.	116,285.76

Workers' compensation judgment, pay to <u>Cynthia Blodgett-McDeavitt and Stephen L. Gerdes, Attorney, 11920 Burt Street, #145, Omaha, NE 68154, out of the</u>	
Workers' Compensation Claims Revolving Fund.	28,604.66

Workers' compensation lump-sum settlement, pay to <u>Duane Saltz and Ralph Bradley, Attorney, 202 West 3rd Street, Grand Island, NE 68802, out of the</u>	
Workers' Compensation Claims Revolving Fund.	35,000.00

The claims in this section shall be paid through Program 593 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

REVOLVING FUNDS	179,890.42
TOTAL	179,890.42

Sec. 4. The Director of Administrative Services is hereby authorized and directed to draw his or her warrants on or before June 30, 2006, upon the funds in the state treasury enumerated in this act, in favor of the several beneficiaries named in this act for the amount set opposite their respective names upon the presentation of proper vouchers therefor. The several amounts appropriated in this act shall be in full payment of any and all claims, rights, causes of action, damages, and demands of every character and kind owing by or against the State of Nebraska, its officers, agents, and employees, and their successors and assigns with respect to each of the beneficiaries respectively in whose favor the appropriations are made. The director shall not deliver any warrant for any items appropriated in this act until a receipt and release in full, releasing the State of Nebraska, its officers, employees, and agents, and their successors and assigns, has been filed by each of the beneficiaries respectively. Upon presentation of the warrants, the State Treasurer is hereby directed to pay the same out of money in the General Fund or out of money in other funds indicated in this act not otherwise appropriated.

Sec. 5. The following requests were filed by state agencies seeking permission to write off certain accounts. The State Claims Board reviewed and approved the following requests.

DESCRIPTION	DOLLARS
-------------	---------

Request No. 04-426, made by the State Department of Education	1,145.00
---	----------

Request No. 04-781, made by the Clerk of the Legislature	8.66
--	------

Request No. 05-199, made by the Commission for the Deaf and Hard of Hearing	45.00
---	-------

Request No. 05-204, made by the Department of Insurance	39.00
---	-------

Request No. 05-205, made by the Department of Health and Human Services	139,047.44
---	------------

Request No. 05-206, made by the Norfolk Veterans' Home	6,940.05
--	----------

Request No. 05-207, made by the Department of Health and Human Services Regulation and Licensure	332.91
--	--------

Request No. 05-208, made by the Department of Health and Human Services Finance and Support	676.00
---	--------

Request No. 05-209, made by the Grand Island	
--	--

LB 737

LB 737

Veterans' Home

12,751.96

Request No. 05-210, made by the Game and Parks  
Commission

24,377.74

Request No. 05-211, made by the Game and Parks  
Commission

42,199.42

Sec. 6. Since an emergency exists, this act takes effect when  
passed and approved according to law.